

South Plainfield draft consent decree - scheduling call



08/26/2011 04:24 PM

"Edward Devine'", "Ettinger, Jonathan", Lulu Cheng, "'Kautsky, Peter

(ENRD)", "'Evans, Rachel (ENRD)"

From: Sarah Flanagan/R2/USEPA/US

To: "Sanoff, Robert" < RSS@foleyhoag.com>,

Cc: "Edward Devine" < Edward.Devine@dol.lps.state.nj.us>, "Ettinger, Jonathan"

<JEttinger@foleyhoag.com>, Lulu Cheng/DC/USEPA/US@EPA, "Kautsky, Peter (ENRD)"
<Peter.Kautsky@usdoj.gov>, "Evans, Rachel (ENRD)"
<Rachel.Evans2@usdoj.gov>

Sure, we can use my number. I know you all have it but here it is just in case:

numbe

code: non responsive

Good luck to you too.

"Sanoff, Robert" Jon and I are available at 1 on Tuesday. Shall w... 08/26/2011 04:06:28 PM

From: "Sanoff, Robert" < RSS@foleyhoag.com>

To: "'Evans, Rachel (ENRD)" <Rachel.Evans2@usdoj.gov>, "'Kautsky, Peter (ENRD)" <Peter.Kautsky@usdoj.gov>, "Ettinger, Jonathan" <JEttinger@foleyhoag.com>

Cc: Sarah Flanagan/R2/USEPA/US@EPA, Lulu Cheng/DC/USEPA/US@EPA, "'Edward Devine'"

<Edward.Devine@dol.lps.state.nj.us>

Date: 08/26/2011 04:06 PM

Subject: RE: South Plainfield draft consent decree - scheduling call

Jon and I are available at 1 on Tuesday. Shall we use Sarah's call in number? Good luck riding out the hurricane.

From: Evans, Rachel (ENRD) [mailto:Rachel.Evans2@usdoj.gov]

Sent: Friday, August 26, 2011 10:18 AM

To: Kautsky, Peter (ENRD); Sanoff, Robert; Ettinger, Jonathan

Cc: Flanagan.Sarah@epamail.epa.gov; Cheng.Lulu@epamail.epa.gov; Edward Devine

Subject: RE: South Plainfield draft consent decree - scheduling call

In addition to still being available Tuesday at 1, the US team is available Wednesday 10-1 and 3-5.

Rachel K. Evans Trial Attorney DOJ/ENRD/EES Rachel.Evans2@usdoj.gov (202) 514-5471

From: Kautsky, Peter (ENRD)

Sent: Wednesday, August 24, 2011 4:05 PM

To: Sanoff, Robert; Evans, Rachel (ENRD); Ettinger, Jonathan

Cc: 'Flanagan.Sarah@epamail.epa.gov'; 'Cheng.Lulu@epamail.epa.gov'; 'Edward Devine'

Subject: RE: South Plainfield draft consent decree

We had understood that the locusts were arriving by 2, so hoped to get this call done before then. 2 was my initial internal proposal, but it did not fly. We can do 1 or I am happy to check into Wednesday. I, at least, am pretty open that day as well. Peter

From: Sanoff, Robert [mailto:RSS@foleyhoag.com]

Sent: Wednesday, August 24, 2011 4:00 PM

To: Kautsky, Peter (ENRD); Evans, Rachel (ENRD); Ettinger, Jonathan

Cc: 'Flanagan.Sarah@epamail.epa.gov'; 'Cheng.Lulu@epamail.epa.gov'; 'Edward Devine'

Subject: RE: South Plainfield draft consent decree

Peter -- Earthquake on Tuesday, hurricane on Saturday. I wonder if it makes sense to plan anything as far ahead as next Tuesday.

Seriously, though, we can make 1, although we would prefer Tuesday at 2. Let us know. Thanks.

Robby

FOLEY HOAG LLP

Robert Sanoff

Seaport World Trade Center West 155 Seaport Boulevard Boston, Massachusetts 02210-2600

617 832 1152 phone 617 832 7000 fax 617 930 2848 mobile

www.foleyhoag.com

From: Kautsky, Peter (ENRD) [mailto:Peter.Kautsky@usdoj.gov]

Sent: Wednesday, August 24, 2011 11:57 AM

To: Sanoff, Robert; Evans, Rachel (ENRD); Ettinger, Jonathan

Cc: Flanagan.Sarah@epamail.epa.gov; Cheng.Lulu@epamail.epa.gov; Edward Devine

Subject: RE: South Plainfield draft consent decree

Robby, I do not know about Ed's availability, but how about at 1 on Tuesday?

Peter Kautsky
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, DC 20044
(202) 514-3907 (phone)

(202) 616-2427 (fax)

This e-mail, including attachments, contains information that is confidential and it may be protected by the attorney/client or other privileges. This e-mail, including attachments, constitutes non-public information intended to be conveyed only to the designated recipient(s). If you are not an intended recipient, please delete this e-mail, including attachments, and notify me by return mail, e-mail or at (202) 514-3907. The unauthorized use, dissemination, distribution, or reproduction of this e-mail, including attachments, is prohibited and may be unlawful.

From: Sanoff, Robert [mailto:RSS@foleyhoag.com]

Sent: Monday, August 22, 2011 6:07 PM **To:** Evans, Rachel (ENRD); Ettinger, Jonathan

Cc: Kautsky, Peter (ENRD); 'Flanagan.Sarah@epamail.epa.gov'; 'Cheng.Lulu@epamail.epa.gov'; 'Edward

Devine'

Subject: RE: South Plainfield draft consent decree

Due to a series of scheduling issues, Jon and I could participate in a conference call starting next week -- how about Tuesday afternoon (August 30) or Wednesday (August 31)?

Robby

FOLEY HOAG LLP

Robert Sanoff

Seaport World Trade Center West 155 Seaport Boulevard Boston, Massachusetts 02210-2600

617 832 1152 phone 617 832 7000 fax 617 930 2848 mobile

www.foleyhoag.com

From: Evans, Rachel (ENRD) [mailto:Rachel.Evans2@usdoj.gov]

Sent: Tuesday, August 16, 2011 5:32 PM **To:** Sanoff, Robert; Ettinger, Jonathan

Cc: Kautsky, Peter (ENRD); Flanagan.Sarah@epamail.epa.gov; Cheng.Lulu@epamail.epa.gov; Edward

Devine

Subject: South Plainfield draft consent decree

Robby and Jon,

Please find attached a new redline draft of the consent decree. We would be happy to discuss the changes in a conference call, we will next be available for such a call starting Tuesday, August 23rd. As always, this consent decree is a draft and is subject to review and approval of DOJ, EPA, NOAA, and DOI management, as well as New Jersey.

Please contact me with any questions.

Best regards, Rachel

Rachel K. Evans Trial Attorney DOJ/ENRD/EES Rachel.Evans2@usdoj.gov (202) 514-5471

United States Treasury Regulations require us to disclose the following: Any tax advice included in this document and its attachments was not intended or written to be used, and it cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code.

This email message and any attachments are confidential and may be privileged. If you are not the intended recipient, please notify Foley Hoag LLP immediately -- by replying to this message or by sending an email to postmaster@foleyhoag.com -- and destroy all copies of this message and any attachments without reading or disclosing their contents. Thank you.

For more information about Foley Hoag LLP, please visit us at www.foleyhoag.com.